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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary**Application No.**

10/561,114

Applicant(s)

AMIENS, CHRISTIAN

Examiner

NIMESH PATEL

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Apr. 15, 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

Detailed Action

Response to Arguments

1. Applicant's arguments filed on Apr. 15, 2009 for claims 1 – 22 have been fully considered but they are not persuasive.

Claims 1 – 22 are pending in the application. Claim 23 is cancelled and withdrawn from consideration.

The applicant's argument, 'an embodiment of the present invention is characterized by the fact that the set of API functions is integrated in an independent module – or more generally in means of radiocommunication such as described in claim 1: performing the interconnection between the remote terminal "does not need to know the MQIsdp protocol" and the broker sending messages according to this MQIsdp protocol. Thanks to this independent module", on page 9, lines 13 – 15.

The examiner's response, "it is not clear from the claim language, and is not part of the claim that the remote terminal does not need to know the MQIsdp protocol.

At the same time, (though it is NOT part of the claim) Andy discloses, performing the interconnection between the remote terminal does not need to know the MQIsdp protocol (page 10, lines 1 – 4) and the broker sending messages

according to this MQIsdp protocol (page 9, lines 1 – 5, page 9, lines 15 – 22, page 5, lines 1 – 7).".

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 – 3, 8, and 11 – 22 are rejected under 35 U.S.C. 102(b) as being unpatentable over Andy XP – 002283767 March 2002.

Regarding claim 1, Andy discloses,

system for remote control of apparatuses (telemetry integration applications – page 2, lines 8 – 10, page 4, lines 9 – 21, page 9, line 8), enabling the interconnection between at least one broker (broker, page 5, line 3) and at least one remote apparatus (client, page 5, line 5) according to the MQIsdp protocol (the MQ SCADA protocol node is included in WebSphere MQ Integrator, version 2.02 and higher. This allows remote device to connect to the broker using the MQIsdp protocol – page 2, lines 16 – 24, page 5, lines 1 – 7, page 9, lines 1 – 8),

wherein the system associates, with at least one of said remote apparatuses,

radiocommunication means (Arcom director units communicates with the devices using 20-mile line-of-sight, spread-spectrum wireless links from Data-Linc Group – page 5, lines 12 – 17, page 12, lines, 2 - 4), which are external to said at least one of said remote apparatus and are capable of internally processing a communication protocol implementing API source functions available in a software platform - Open AT enabling at least one application to be embedded (the protocol has a very basic publish/subscribe verb set: connect, disconnect, subscribe, and unsubscribe; and an application level keepalive: pingrequest and pingresponse - page 9, lines 24 - 27. When an MQIsdp client connects to the broker, it can optionally specify a special message and topic, and a keepalive time, specified in seconds. If the client fails to publish anything to the broker during the keepalive time the broker assumes the client was unexpectedly disconnected and closes the client connection. The broker then publishes the special message using the specified topic on behalf of the client – page 10, lines 20 – 27. The application programming interface - API presented to applications on the client device - page 9, lines 15 – 17, page 10, lines 1 - 4), and

wherein said radiocommunication means are provided with a set of specific - API functions enabling data to be exchanged with at least one server implementing said MQIsdp protocol (the MQIsdp protocol specification is deliberately nonprescriptive regarding the application programming interface – API presented to applications to the client device - page 9, lines 9 - 24), so as to enable an

interconnection between said at least one broker and said at least one remote via said radiocommunication means, with the latter also managing at least one application between said at least one broker and said at least one remote apparatus (the protocol has a very basic publish/subscribe verb set: connect, disconnect, publish, subscribe, unsubscribe – page 3, lines 1 – 8, page 3, 22 – 24, page 5, lines 1 – 7, page 8, lines 14 – 32, page 9, lines 24 – 27).

Regarding claim 2, Andy discloses,

system for remote control of apparatuses according to claim 1, wherein said radiocommunication means include a radiocommunication module, grouping together on a single substrate all of the radiofrequency and baseband data processing means, as well as means for managing said - API functions and said at least one application (Arcom director units communicates with the devices using 20-mile line-of-sight, spread-spectrum wireless links from Data-Linc Group – page 5, lines 12 – 17, page 8, lines 31 – 32, page 12, lines, 2 – 11, page 12, lines 16 - 20).

Regarding claim 3, Andy discloses,

system for remote control of apparatuses according claim 1, wherein said radiocommunication means integrate said MQIsdp protocol in the form of a

library, defining said set of specific - API functions (Arcom director units communicates with the devices using 20-mile line-of-sight, spread-spectrum wireless links from Data-Linc Group – page 5, lines 12 – 17, page 8, lines 31 – 32, page 12, lines, 2 – 11, page 12, lines 16 – 20).

Regarding claim 8, Andy discloses,

system for remote control of apparatuses according to claim 1, wherein said set of specific API functions includes functions enabling (the MQ SCADA protocol node is included in WebSphere MQ Integrator, version 2.02 and higher. This allows remote device to connect to the broker using the MQIsdp protocol – page 2, lines 16 – 24, page 5, lines 1 – 7, page 9, lines 1 – 8):

- connection to one of said at least one broker (the MQ SCADA protocol node is included in WebSphere MQ Integrator, version 2.02 and higher. This allows remote device to connect to the broker using the MQIsdp protocol – page 2, lines 16 – 24, page 5, lines 1 – 7, page 9, lines 1 – 8);
- sending of messages (Arcom director units communicates with the devices using 20-mile line-of-sight, spread-spectrum wireless links from Data-Linc Group – page 5, lines 12 – 17, page 12, lines, 2 – 4. The protocol has a very basic publish/subscribe verb set: connect, disconnect, publish, subscribe, unsubscribe – page 3, lines 1 – 8, page 3, 22 – 24, page 5, lines 1 – 7, page

- 8, lines 14 – 32, page 9, lines 24 – 27);
- receiving of messages (Arcom director units communicates with the devices using 20-mile line-of-sight, spread-spectrum wireless links from Data-Linc Group – page 5, lines 12 – 17, page 12, lines, 2 – 4. The protocol has a very basic publish/subscribe verb set: connect, disconnect, publish, subscribe, unsubscribe – page 3, lines 1 – 8, page 3, 22 – 24, page 5, lines 1 – 7, page 8, lines 14 – 32, page 9, lines 24 – 27. Also, compute values from input message content – page 8, line 26);
 - configuration of at least one parameter (the protocol has a very basic publish/subscribe verb set: connect, disconnect, publish, subscribe, unsubscribe – page 3, lines 1 – 8, page 3, 22 – 24, page 5, lines 1 – 7, page 8, lines 14 – 32, page 9, lines 24 – 27).

Regarding claim 11, Andy discloses,

system for remote control of apparatuses according to claim 1, wherein said set of specific (API) functions includes an initialisation function restoring default parameters, which must be called at least once before the use of other - API functions (the protocol has a very basic publish/subscribe verb set: connect, disconnect, publish, subscribe, unsubscribe – page 3, lines 1 – 8, page 3, 22 – 24, page 5, lines 1 – 7, page 8, lines 14 – 32, page 9, lines 24 – 27).

Regarding claim 12, Andy discloses,

system for remote control of apparatuses according to claim 1, wherein said set of specific - API functions includes a function called when an IP connection has been established (the protocol has a very basic publish/subscribe verb set: connect, disconnect, publish, subscribe, unsubscribe – page 3, lines 1 – 8, page 3, 22 – 24, page 5, lines 1 – 7, page 8, lines 14 – 32, page 9, lines 24 – 27).

Regarding claim 13, Andy discloses,

system for remote control of apparatuses according to claim 1, wherein the system includes a function of establishing a connection with one of said brokers making it possible to define parameters of said connection, and a function for disconnecting said connection (the protocol has a very basic publish/subscribe verb set: connect, disconnect, publish, subscribe, unsubscribe – page 3, lines 1 – 8, page 3, 22 – 24, page 5, lines 1 – 7, page 8, lines 14 – 32, page 9, lines 24 – 27).

Regarding claim 14, Andy discloses,

system for remote control of apparatuses according to claim 13, wherein said function of establishing a connection makes it possible to select a transmission

mode from at least two (the MQ SCADA protocol node is included in WebSphere MQ Integrator, version 2.02 and higher. This allows remote device to connect to the broker using the MQIsdp protocol – page 2, lines 16 – 24, page 5, lines 1 – 7, page 9, lines 1 – 8. Typical application scenario – farmers walk their fields with a Global System for Mobile Communications - GSM connected Palm Pilot - page 8, left column).

Regarding claim 15, Andy discloses,

system for remote control of apparatuses according to claim 1, wherein the system includes a function for sending a message to one of said brokers (the protocol has a very basic publish/subscribe verb set: connect, disconnect, publish, subscribe, unsubscribe – page 3, lines 1 – 8, page 3, 22 – 24, page 5, lines 1 – 7, page 8, lines 14 – 32, page 9, lines 24 – 27).

Regarding claim 16, Andy discloses,

system for remote control of apparatuses according to claim 1, wherein the system includes a function for subscribing to one of said brokers, and a function for unsubscribing to said broker (the protocol has a very basic publish/subscribe verb set: connect, disconnect, publish, subscribe, unsubscribe – page 3, lines 1 – 8, page 3, 22 – 24, page 5, lines 1 – 7, page 8, lines 14 – 32, page 9, lines 24 –

27).

Regarding claim 17, Andy discloses,

system for remote control of apparatuses according to claim 1, wherein the system includes at least one function for requesting information on at least one aspect of a communication in progress (the protocol has a very basic publish/subscribe verb set: connect, disconnect, publish, subscribe, unsubscribe, and an application level keepalive: pingrequest and pingresponse. Message acknowledgement verbs are used to manage the assured message delivery – page 3, lines 1 – 8, page 3, 22 – 24, page 5, lines 1 – 7, page 8, lines 14 – 32, page 9, lines 24 – 27).

Regarding claim 18, Andy discloses,

system for remote control of apparatuses according to claim 17, wherein the system includes at least one of the functions belonging to the group including:

- a function for inquiring about the status of a connection (the protocol has a very basic publish/subscribe verb set: connect, disconnect, publish, subscribe, unsubscribe, and an application level keepalive: pingrequest and pingresponse. Message acknowledgement verbs are used to manage the assured message delivery – page 3, lines 1 – 8, page 3, 22 – 24, page 5, lines 1 – 7, page 8, lines

14 – 32, page 9, lines 24 – 27, page 11, lines 5 - 17);

- a function for inquiring about the status of a given message (the protocol has a very basic publish/subscribe verb set: connect, disconnect, publish, subscribe, unsubscribe, and an application level keepalive: pingrequest and pingresponse. Message acknowledgement verbs are used to manage the assured message delivery – page 3, lines 1 – 8, page 3, 22 – 24, page 5, lines 1 – 7, page 8, lines 14 – 32, page 9, lines 24 – 27);

- a function for inquiring about the current size of a queue (the protocol has a very basic publish/subscribe verb set: connect, disconnect, publish, subscribe, unsubscribe, and an application level keepalive: pingrequest and pingresponse. Message acknowledgement verbs are used to manage the assured message delivery – page 3, lines 1 – 8, page 3, 22 – 24, page 5, lines 1 – 7, page 8, lines 14 – 32, page 9, lines 24 – 27); and

- a function for inquiring about the space available in a queue (the protocol has a very basic publish/subscribe verb set: connect, disconnect, publish, subscribe, unsubscribe, and an application level keepalive: pingrequest and pingresponse. Message acknowledgement verbs are used to manage the assured message delivery – page 3, lines 1 – 8, page 3, 22 – 24, page 5, lines 1 – 7, page 8, lines 14 – 32, page 9, lines 24 – 27).

Regarding claim 19, Andy discloses,

system for remote control of apparatuses according to claim 1, wherein the system includes a function for defining the size of a queue (WebSphere MQ offers once-and-once-only assured delivery of messages, using asynchronous queue-based model – page 7, lines 26 – 28. The protocol has a very basic publish/subscribe verb set: connect, disconnect, publish, subscribe, unsubscribe, and an application level keepalive: pingrequest and pingresponse. Message acknowledgement verbs are used to manage the assured message delivery – page 3, lines 1 – 8, page 3, 22 – 24, page 5, lines 1 – 7, page 8, lines 14 – 32

Regarding claim 20, Andy discloses,

method for remote control of apparatuses (telemetry integration applications – page 2, lines 8 – 10, page 4, lines 9 – 21, page 9, line 8), enabling the interconnection between at least one broker (broker, page 5, line 3) and at least one remote apparatus (client, page 5, line 5) according to the MQIsdp protocol (the MQ SCADA protocol node is included in WebSphere MQ Integrator, version 2.02 and higher. This allows remote device to connect to the broker using the MQIsdp protocol – page 2, lines 16 – 24, page 5, lines 1 – 7, page 9, lines 1 – 8), wherein the method associates, with at least one of said remote apparatuses,

radiocommunication means (Arcorm director units communicates with the devices using 20-mile line-of-sight, spread-spectrum wireless links from Data-Linc Group – page 5, lines 12 – 17, page 12, lines, 2 - 4), which are external to said at least on eof said remote apparatus and are capable of internally processing a communication protocol implementing API - type source functions available in a software platform - Open AT enabling at least one application to be embedded (the protocol has a very basic publish/subscribe verb set: connect, disconnect, subscribe, and unsubscribe; and an application level keepalive: pingrequest and pingresponse - page 9, lines 24 - 27. When an MQIsdp client connects to the broker, it can optionally specify a special message and topic, and a keepalive time, specified in seconds. If the client fails to publish anything to the broker during the keepalive time the broker assumes the client was unexpectedly disconnected and closes the client connection. The broker then publishes the special message using the specified topic on behalf of the client – page 10, lines 20 – 27. The application programming interface - API presented to applications on the client device - page 9, lines 15 – 17, page 10, lines 1 - 4),

and wherein the method implements, in said radiocommunication means, a set of specific API functions enabling data to be exchanged with at least one broker implementing said MQIsdp protocol (the MQIsdp protocol specification is deliberately nonprescriptive regarding the application programming interface – API presented to applications to the client device - page 9, lines 9 - 24), so as to

enable an interconnection between said at least one broker and said at least one remote apparatus via said radiocommunication means, with the latter also managing at least one application between said at least one broker and said remote apparatus (the protocol has a very basic publish/subscribe verb set: connect, disconnect, publish, subscribe, unsubscribe – page 3, lines 1 – 8, page 3, 22 – 24, page 5, lines 1 – 7, page 8, lines 14 – 32, page 9, lines 24 – 27).

Regarding claim 21, Andy discloses,

a radiocommunication device comprising:

a remote apparatus (client, page 5, line 5. Arcom director units communicates with the devices using 20-mile line-of-sight, spread-spectrum wireless links from Data-Linc Group – page 5, lines 12 – 17, page 12, lines 2 - 4); and

radiocommunication means associated with and external to said remote apparatus for internally processing a communication protocol implementing API source functions available in a software platform enabling at least one application to be embedded (the protocol has a very basic publish/subscribe verb set: connect, disconnect, subscribe, and unsubscribe; and an application level keepalive: pingrequest and pingresponse - page 9, lines 24 - 27. When an MQIsdp client connects to the broker, it can optionally specify a special message

and topic, and a keepalive time, specified in seconds. If the client fails to publish anything to the broker during the keepalive time the broker assumes the client was unexpectedly disconnected and closes the client connection. The broker then publishes the special message using the specified topic on behalf of the client – page 10, lines 20 – 27. The application programming interface - API presented to applications on the client device - page 9, lines 15 – 17, page 10, lines 1 – 4. Telemetry integration applications – page 2, lines 8 – 10, page 4, lines 9 – 21, page 9, line 8), and

wherein said radiocommunication means are provided with a set of specific API functions enabling data to be exchanged with at least one server implementing an MQIsdp protocol (the MQ SCADA protocol node is included in WebSphere MQ Integrator, version 2.02 and higher. This allows remote device to connect to the broker using the MQIsdp protocol – page 2, lines 16 – 24, page 5, lines 1 – 7, page 9, lines 1 – 8. The MQIsdp protocol specification is deliberately nonprescriptive regarding the application programming interface – API presented to applications to the client device - page 9, lines 9 – 24),

so as to enable an interconnection between at least one broker and said remote apparatus via said radiocommunication means (the MQIsdp protocol specification is deliberately nonprescriptive regarding the application programming interface – API presented to applications to the client device - page

9, lines 9 – 24), with the latter also managing at least one application between at least one broker and said remote apparatus (the protocol has a very basic publish/subscribe verb set: connect, disconnect, publish, subscribe, unsubscribe – page 3, lines 1 – 8, page 3, 22 – 24, page 5, lines 1 – 7, page 8, lines 14 – 32, page 9, lines 24 – 27).

Regarding claim 22, Andy discloses,

A device (the MQ SCADA protocol node is included in WebSphere MQ Integrator, version 2.02 and higher. This allows remote device to connect to the broker using the MQIsdp protocol – page 2, lines 16 – 24, page 5, lines 1 – 7, page 9, lines 1 – 8. Arcom director units communicates with the devices using 20-mile line-of-sight, spread-spectrum wireless links from Data-Linc Group – page 5, lines 12 – 17, page 12, lines, 2 - 4) comprising:

a radiocommunication module (Arcom director units communicates with the devices using 20-mile line-of-sight, spread-spectrum wireless links from Data-Linc Group – page 5, lines 12 – 17, page 12, lines, 2 – 4. Telemetry integration applications – page 2, lines 8 – 10, page 4, lines 9 – 21, page 9, line 8) and radiocommunication associated with and external to the radiocommunication module for internally processing a communication protocol implementing API source functions available in a software platform enabling at least one application

to be embedded ((the protocol has a very basic publish/subscribe verb set: connect, disconnect, subscribe, and unsubscribe; and an application level keepalive: pingrequest and pingresponse - page 9, lines 24 - 27. When an MQIsdp client connects to the broker, it can optionally specify a special message and topic, and a keepalive time, specified in seconds. If the client fails to publish anything to the broker during the keepalive time the broker assumes the client was unexpectedly disconnected and closes the client connection. The broker then publishes the special message using the specified topic on behalf of the client – page 10, lines 20 – 27. The application programming interface - API presented to applications on the client device - page 9, lines 15 – 17, page 10, lines 1 - 4), and

wherein said radiocommunication means are provided with a set of specific API functions enabling data to be exchanged with at least one server implementing an MQIsdp protocol ((the MQIsdp protocol specification is deliberately nonprescriptive regarding the application programming interface – API presented to applications to the client device - page 9, lines 9 – 24),
so as to enable an interconnection between at least one broker and said radiocommunication module via said radiocommunication means, with the latter also managing at least one application between said at least one broker and said radiocommunication module (the protocol has a very basic publish/subscribe verb set: connect, disconnect, publish, subscribe, unsubscribe – page 3, lines 1 –

8, page 3, 22 – 24, page 5, lines 1 – 7, page 8, lines 14 – 32, page 9, lines 24 – 27).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148

USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 4 – 7, 9, and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Andy XP – 002283767 March 2002, and in view of Petite US Patent: US 7,103,511 B2, Sep. 5, 2006.

Regarding claim 4, Andy briefly discloses, system for remote control of apparatuses according to claim I, wherein at least in a first mode, said radiocommunication means manage, with said data being transferred directly from a remote apparatus to a server, or the reverse (when a publisher sends a

message, the topic specifics where it belongs in the information hierarchy. An application can send a message to another application and then carry on with other work, even if the other application is not immediately process the message – page 6, lines 1 – 2, page 6, lines 13 – 18, page 7, lines 28 – 30, page 8, lines 20 - 22, page 10, lines 13 - 16).

Petite teaches in detail, method for monitoring and controlling remote devices. The computer evaluates the retrieved information and identifies an appropriate control signal, and applying the control signal at a designated actuator. A computerized system for monitoring, reporting on, and controlling remote systems by transferring information signals through a wide area network. The site controller 150 may be configured such that the memory 406 includes a look-up table 414 configured for identifying the various remote and intermediate communication devices used in generating and transmitting received data transmission (ABSTRACT, Figs. 1 – 11, column 1, lines 31 – 36, column 2, line 28 through column 3, line 30, column 11, lines 11 - 15).

It would have been obvious to one of ordinary skill in the art, at the time of invention, to modify monitoring and telemetry devices as part of enterprise information resources (Andy, page 2, lines 8 – 10, page 4, lines 9 – 21, page 9, line 8), would have incorporated monitoring and controlling remote devices of Petite (Petete, ABSTRACT, Figs. 1 – 11, column 1, lines 31 – 36, column 2, line

28 through column 3, line 30, column 11, lines 11 - 15), for a system configured to collect, format, and control client application specific processes (Petite, column 1, lines 48 - 55).

Regarding claim 5, Andy briefly teaches, system for remote control of apparatuses according to claim I, at least in a second mode, said radiocommunication means manage the signaling of a data exchange and the transfer of said data, with the latter being temporarily stored in at least one buffer storage (it also has a built-in data dictionary that stores templates for enterprise message formats, so it can perform transformations from one message format to another. Establish Open Database Connectivity – ODBC connections to Structured Query Language – SQL databases to retrieve data, which can be used to enrich the content of the message, or to insert or update rows in a database - page 8, lines 4 – 8, page 8, lines 28 - 30).

Petite teaches in detail, method for monitoring and controlling remote devices. The computer evaluates the retrieved information and identifies an appropriate control signal, and applying the control signal at a designated actuator. A computerized system for monitoring, reporting on, and controlling remote systems by transferring information signals through a wide area network. The site controller 150 may be configured such that the memory 406 includes a look-up table 414 configured for identifying the various remote and intermediate

communication devices used in generating and transmitting received data transmission (ABSTRACT, Figs. 1 – 11, column 1, lines 31 – 36, column 2, line 28 through column 3, line 30, column 11, lines 11 - 15).

It would have been obvious to one of ordinary skill in the art, at the time of invention, to modify monitoring and telemetry devices as part of enterprise information resources (Andy, page 2, lines 8 – 10, page 4, lines 9 – 21, page 9, line 8), would have incorporated monitoring and controlling remote devices of Petite (Petete, ABSTRACT, Figs. 1 – 11, column 1, lines 31 – 36, column 2, line 28 through column 3, line 30, column 11, lines 11 - 15), for a system configured to collect, format, and control client application specific processes (Petite, column 1, lines 48 - 55).

Regarding claim 6, Andy discloses,

system for remote control of apparatuses according to claim 5, wherein the size of said at least one_buffer storage is parameterable (it also has a built-in data dictionary that stores templates for enterprise message formats, so it can perform transformations from one message format to another. Establish Open Database Connectivity – ODBC connections to Structured Query Language – SQL databases to retrieve data, which can be used to enrich the content of the message, or to insert or update rows in a database - page 8, lines 4 – 8, page 8,

lines 28 - 30).

Regarding claim 7, Andy briefly discloses, system for remote control of apparatuses according to claim 6, wherein the system operates in said first mode when the size of said at least one buffer storage is 0, and in said second mode if not it also has a built-in data dictionary that stores templates for enterprise message formats, so it can perform transformations from one message format to another. Establish Open Database Connectivity – ODBC connections to Structured Query Language – SQL databases to retrieve data, which can be used to enrich the content of the message, or to insert or update rows in a database - page 8, lines 4 – 8, page 8, lines 28 - 30).

Petite teaches in detail, method for monitoring and controlling remote devices. The computer evaluates the retrieved information and identifies an appropriate control signal, and applying the control signal at a designated actuator. A computerized system for monitoring, reporting on, and controlling remote systems by transferring information signals through a wide area network. The site controller 150 may be configured such that the memory 406 includes a look-up table 414 configured for identifying the various remote and intermediate communication devices used in generating and transmitting received data transmission (ABSTRACT, Figs. 1 – 11, column 1, lines 31 – 36, column 2, line 28 through column 3, line 30, column 11, lines 11 - 15). The memory 406 may

also include a plurality code segments that are executed by the CPU 404, which may in large part control operation of the site controller 150 - Fig. 4, column 11, lines 41 - 56).

It would have been obvious to one of ordinary skill in the art, at the time of invention, to modify monitoring and telemetry devices as part of enterprise information resources (Andy, page 2, lines 8 - 10, page 4, lines 9 - 21, page 9, line 8), would have incorporated monitoring and controlling remote devices of Petite (Petete, ABSTRACT, Figs. 1 - 11, column 1, lines 31 - 36, column 2, line 28 through column 3, line 30, column 11, lines 11 - 15), for a system configured to collect, format, and control client application specific processes (Petite, column 1, lines 48 - 55).

Regarding claim 9, Andy discloses,

system for remote control of apparatuses according to claim 1, wherein at least some of said specific - API functions are organised so as to be capable of providing at least two operations and/or acting on at least two distinct aspects, according to a predefined parameterization (it also has a built-in data dictionary that stores templates for enterprise message formats, so it can perform transformations from one message format to another. Establish Open Database Connectivity - ODBC connections to Structured Query Language - SQL

databases to retrieve data, which can be used to enrich the content of the message, or to insert or update rows in a database - page 8, lines 4 – 8, page 8, lines 28 - 30).

Petite teaches in detail, method for monitoring and controlling remote devices. The computer evaluates the retrieved information and identifies an appropriate control signal, and applying the control signal at a designated actuator. A computerized system for monitoring, reporting on, and controlling remote systems by transferring information signals through a wide area network. The site controller 150 may be configured such that the memory 406 includes a look-up table 414 configured for identifying the various remote and intermediate communication devices used in generating and transmitting received data transmission (ABSTRACT, Figs. 1 – 11, column 1, lines 31 – 36, column 2, line 28 through column 3, line 30, column 11, lines 11 - 15).

It would have been obvious to one of ordinary skill in the art, at the time of invention, to modify monitoring and telemetry devices as part of enterprise information resources (Andy, page 2, lines 8 – 10, page 4, lines 9 – 21, page 9, line 8), would have incorporated monitoring and controlling remote devices of Petite (Petete, ABSTRACT, Figs. 1 – 11, column 1, lines 31 – 36, column 2, line 28 through column 3, line 30, column 11, lines 11 - 15), for a system configured to collect, format, and control client application specific processes (Petite, column

1, lines 48 - 55).

Regarding claim 10, Andy discloses,

system for remote control of apparatuses according to claim 1, wherein said set of API functions includes only 12 functions (the flow meter may send compressed data that's intelligible only to specific applications - page 6, lines 1 – 14, page 8, lines 13 – 32, page 9, lines 4 - 14, page 10, lines 7 - 19).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this

final action.

Contact Information

Any inquiry concerning this communication from the examiner should be directed to Nimesh Patel at (571) 270-1228, normally reached on Mon-Thur. 7:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rafael, Perez-Gutierrez, can be reached at (571) 272-7915.

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/Nimesh Patel/

/Rafael Pérez-Gutiérrez/

Supervisory Patent Examiner, Art Unit 2617